HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P. No.20634 of 2007

8.10.2007

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Between

Muramalla Kondayya ..Petitioner

AND

Agent to Government (Collector), West Godavari District, Eluru and others ..Respondents

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:: JUDGMENT ::

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P. No.20634 of 2007

This writ petition has been instituted when the respondents 2 and 3 attempted to dispossess the petitioner from the lands in an extent of Ac.3.31 cents situated in R.S.No.101/1 of L.N.D.Peta, Polavaram Mandalam, West Godavari District based on the orders dated 17.1.2006 passed by the Special Deputy Collector, Tribal Welfare, K.R.Puram, West Godavari District. It is the assertion of the petitioner that he has preferred an Appeal to the Agent to the Government, first respondent herein against the orders passed by the third respondent on 17.1..2006 and the Appeal is still pending.

The learned Government Pleader for Social Welfare has received instructions in the matter that a programme has been prepared by the first respondent for dealing with the pending cases from 20th October, 2007 onwards.

When once, an Appeal has been preferred which is an assured right, it is only appropriate that the said Appeal is decided at the earliest. It is no doubt true that the Agent to the Government would have been preoccupied with more pressing and urgent matters of great public importance, but nonetheless, they will have to spare some time for deciding the Appeals preferred against the orders passed by the primary authority in a quick time. I hope and trust that the Appeal preferred by the

petitioner herein would at best be decided on or before 31.1.2008 and till such time the Appeal is decided, the petitioner shall not be evicted from out of the lands in his possession pursuant to the orders passed by the third respondent herein on 17.1.2006.

With this, the writ petition stands disposed of. No costs.

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NOOTY RAMAMOHANA RAO.J.

Note: Furnish copy of
this order by tomorrow.
(bo)
8.10.2007
psr